

SENATE BILL 146

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0lr1368
CF HB 131

By: **The President (By Request – Department of Legislative Services)**

Rules suspended

Introduced and read first time: January 18, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Physical Therapy Examiners – Sunset Extension and Program**
3 **Evaluation**

4 FOR the purpose of continuing the State Board of Physical Therapy Examiners in
5 accordance with the provisions of the Maryland Program Evaluation Act (sunset
6 law) by extending to a certain date the termination provisions relating to the
7 statutory and regulatory authority of the Board; requiring that an evaluation of
8 the Board and the statutes and regulations that relate to the Board be
9 performed on or before a certain date; requiring the Board, in conjunction with
10 the Department of Health and Mental Hygiene, to submit a certain report on or
11 before a certain date; and generally relating to the State Board of Physical
12 Therapy Examiners.

13 BY repealing and reenacting, with amendments,
14 Article – Health Occupations
15 Section 13–502
16 Annotated Code of Maryland
17 (2009 Replacement Volume)

18 BY repealing and reenacting, without amendments,
19 Article – State Government
20 Section 8–403(a)
21 Annotated Code of Maryland
22 (2009 Replacement Volume)

23 BY repealing and reenacting, with amendments,
24 Article – State Government
25 Section 8–403(b)(47)
26 Annotated Code of Maryland
27 (2009 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Health Occupations**

4 13–502.

5 Subject to the evaluation and reestablishment provisions of the Program
6 Evaluation Act, this title and all rules and regulations adopted under this title shall
7 terminate and be of no effect after July 1, [2012] **2022**.

8 **Article – State Government**

9 8–403.

10 (a) On or before December 15 of the 2nd year before the evaluation date of a
11 governmental activity or unit, the Legislative Policy Committee, based on a
12 preliminary evaluation, may waive as unnecessary the evaluation required under this
13 section.

14 (b) Except as otherwise provided in subsection (a) of this section, on or before
15 the evaluation date for the following governmental activities or units, an evaluation
16 shall be made of the following governmental activities or units and the statutes and
17 regulations that relate to the governmental activities or units:

18 (47) Physical Therapy Examiners, State Board of (§ 13–201 of the
19 Health Occupations Article: July 1, [2011] **2021**);

20 SECTION 2. AND BE IT FURTHER ENACTED, That on or before October 1,
21 2011, the State Board of Physical Therapy Examiners, in conjunction with the
22 Department of Health and Mental Hygiene, shall submit a report to the Senate
23 Education, Health, and Environmental Affairs Committee and the House Health and
24 Government Operations Committee, in accordance with § 2–1246 of the State
25 Government Article, on:

26 (1) the Board’s fund balance, including financial information for fiscal
27 years 2010 and 2011 and how the Board is balancing its finances to ensure a sufficient
28 fund balance;

29 (2) the Board’s findings and activities related to the practice of
30 physical therapy by chiropractors;

31 (3) the status of the Board’s review of its authority to penalize
32 physical therapy practice owners or operators who are not licensed by the Board,
33 including any actions taken by the Board or recommendations for statutory changes;

1 (4) the Board's analysis of delays in its complaint resolution process
2 and steps that could be taken to accelerate the process; and

3 (5) options or actions taken by the Board or the Department relative to
4 office configurations to enhance the ability of the health occupations boards to
5 maintain confidentiality.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2010.